

December 4, 2008: USCIRF Public Hearing on Bangladesh: Religious Freedom, Extremism, Security, and the Upcoming National Elections

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Summary

On December 4, the U.S. Commission on International Religious Freedom, an bipartisan, independent U.S. government advisory body, held a public hearing on “Bangladesh:

Religious Freedom, Extremism, Security, and the Upcoming National Elections.”

The hearing was the Commission's third public event on Bangladesh, a South Asian country with a population of 150 million, predominantly Sunni Muslims but with significant religious minorities, including Hindus, Buddhists, Christians, and Ahmadis.

Since 2005, the Commission has placed Bangladesh on its Watch List of countries that require close monitoring due to the nature and extent of violations of religious freedom engaged in or tolerated by their governments.

A Commission delegation visited Bangladesh in February-March 2006.

The recent hearing examined the national elections scheduled to be held in Bangladesh on December 29, the prospects for Bangladesh's re-joining the ranks of the Muslim world's functioning, moderate democracies, and the Commission's long-standing concerns regarding the threat to the human rights of all Bangladeshis posed by religious intolerance and extremism.

In the words of Commission Chair Felice Gaer, the hearing presented “a timely and important opportunity to focus on Bangladesh's efforts to hold an election that is free, fair, and peaceful, in spite of the threats of religious militancy, chronic political violence, and growing intolerance toward religious minorities and those within the majority community who hold different views about Islam and the role of Islam in Bangladeshi society.”

Bangladesh's last national elections, in October 2001, were followed by numerous reports of killings, sexual assaults, illegal land seizures, arson, extortion, and intimidation of members of religious minorities, particularly Hindus.

Islamist militants subsequently were implicated in bombings targeting the country's secular legal system and non-governmental organizations favoring the empowerment of women.

The next attempt to hold national elections resulted in a severe political crisis following a seriously flawed voter registration process, from which many members of religious minorities were reportedly excluded.

Following violent protests, scheduled elections were canceled in January 2007, a state of emergency imposed, and a caretaker government installed with military backing.

Under the current caretaker government, there have been numerous reports of serious human rights abuses in Bangladesh, including suspected extrajudicial killings by the security forces, arbitrary detentions, torture, curbs on press freedom, and violations of the right of due process.

Testifying at the hearing were the Honorable James F. Moriarty, the current U.S. Ambassador to Bangladesh, Peter Manikas and Kimber Shearer representing the National Democratic Institute for International Affairs (NDI) and the International Republic Institute (IRI) respectively, and a panel of expert witnesses including Dr. Ali Riaz of Illinois State University, Dr. Shapan Adnan of the National University of Singapore, Asif Saleh, the founder and Executive Director of Bangladeshi human rights organization

Drishtipat

, and Dr. Sachi G. Dastidar of the State University of New York at Old Westbury.

Congressman Joseph Crowley (Democrat-New York) also spoke at the hearing.

Commission Chair Felice Gaer presided over the hearing.

Also participating were Commission Vice Chair Michael Cromartie and Commissioners Richard Land and Leonard Leo.

Please see

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for a complete transcript of the hearing and for the texts of the prepared testimony.

The hearing underlined the importance of the upcoming elections.

According to Ambassador Moriarty, other than the recent U.S. elections, "there will be no

more transformational election in the world this year than the one scheduled for Bangladesh on December 29th."

Successful elections could, according to the Ambassador, "make Bangladesh a model of governance for other moderate Muslim nations."

The Ambassador saw Bangladeshis as being "deeply committed to democracy" and as having "a tradition of tolerance."

On the other hand, the Ambassador saw "warning signs that extremism could take root in Bangladesh" where "extreme poverty, weak governance, and endemic corruption have created some space...for extremists to operate."

Commission Chair Gaer declared that "The primary role of the military as the principal backer of the current extra-constitutional administration and the restrictions placed by the state of emergency on normal political activities...raise questions about the fairness of elections now scheduled for December 29th."

Mr. Manikas of NDI and Ms. Shearer of IRI described the programs of their respective organizations to support democracy in Bangladesh through political party capacity-building, advice to the Bangladeshi authorities regarding the electoral process, and election monitoring.

Mr. Manikas saw the Bangladesh as "really want(ing) an early return to elected government," despite public recognition of the accomplishments of the caretaker administration, including "electoral reform, securing the independence of the judiciary, and a very extensive anti-corruption drive."

According to the NDI representative, the current Election Commission is "widely considered to be a vast improvement over the Election Commissions of the past, which were largely considered to be very partisan."

He cited new provisions on campaign finance, financial disclosure by candidates, requirements for greater internal democracy within the political parties, demarcation of constituency boundaries, and improvement in the voters list.

Mr. Manikas suggested that Bangladesh's parties must address some of the country's systematic political problems, including pervasive corruption and the past "winner-take-all" approach to governing.

For IRI, Ms. Shearer saw Bangladesh's Election Commission as "ready to hold the parliamentary elections on December 29th."

She cited Bangladesh's experience with local elections on August 4, which were characterized by "high voter turnout, very low levels of violence and other disruptions, and widespread

acceptance of the results."

The four expert witnesses in the hearing's final panel had a less sanguine view of Bangladesh's prospects.

Dr. Ali Riaz, who has written extensively on Islamist extremism and political Islam in Bangladesh, related that the current caretaker government had backed down publicly in the face of Islamist opposition to efforts to make equal rights for women in inheritance and equal pay a matter of national policy in Bangladesh.

He also pointed to the Islamists' successful assault on symbols of Bengali popular culture such as sculptures of traditional musicians.

Dr. Riaz expressed skepticism about the importance of the caretaker government's reforms, arguing that the upcoming elections may well result in the "return of the acrimonious, opaque, dynastic, and corrupt political practices" of the past.

Dr. Shapan Adnan focused on the plight of the religious and ethnic minority communities who are the indigenous inhabitants of the Chittagong Hill Tracts (CHT).

Dr. Adnan described the CHT as effectively under the control of the Bangladeshi military, supported by a civil bureaucracy complicit in "a variety of measures which had constrained the rights and freedom of the ethnic and religious minorities of the region."

He charged that ethnic Bengali settlers are allowed to encroach on the private and common lands of the hill peoples.

The non-Muslim indigenous peoples, particularly the Buddhists, also face various forms of religious discrimination, including intimidation of Buddhist monks and desecration of their holy places. The two major political parties representing the hill peoples have been prevented from registering and thus from participating in the upcoming elections.

Moreover, due to "threats and intimidation by vigilante groups of the (Bengali) settlers...significant proportions of the hill peoples do not feel it is safe to canvass or cast their votes."

Mr. Asif Saleh decried what he saw as a pattern by the current caretaker government of announcing reforms with great media "hype" but "following up with halfhearted or no actions whatsoever once the media buzz was over."

He charged the caretaker government of "undermining the very institutions that it was trying to reform" and of failing to obtain buy-in from the various political parties.

As a result, most of the reforms of the past two years "face the danger of not surviving for long."

He cited as an example the caretaker government's ostensible separation of the judiciary from control of the executive, while continuing to influence the judiciary in accordance with its governance policy.

Mr. Saleh also castigated the caretaker government for failing to return minority (typically Hindu) owned properties seized under the Vested Property Act seven years after the passage of legislation to this effect.

Dr. Sachi Dastidar described what he saw as daily "harassment, humiliation, and institutionalized discrimination directed towards Hindus and their Buddhist, Christian, and indigenous cousins" in Bangladesh.

He also noted that members of the Hindu minority in particular are severely underrepresented in public service professions, including the military, police, and diplomatic service.

Not even political parties benefitting from minority support have been willing to appoint minorities to senior positions.

Dr. Dastidar concluded by outlining a series of recommendations, which, if enacted, would usher in a more "pluralistic, tolerant, prosperous [and] democratic nation."

Based on the hearing and the Commission's past work on Bangladesh, the Commission recommends that the U.S. government should:

- send an official U.S. government delegation to observe the upcoming elections in Bangladesh, in addition to election monitoring efforts already planned by NDI and IRI,

- urge the government of Bangladesh to permit and facilitate both international and domestic non-governmental monitoring of the upcoming elections,
 - prepare and publicize a comprehensive post-election analysis of the election process with recommendation for needed reform,
 - urge the government of Bangladesh to ensure that the elections are not marred by violence by:
 - deploying security forces to work to identify and prepare against specific threats to vulnerable localities and communities, including religious and ethnic minorities, such as residents of the Chittagong Hill Tracts region;
 - publicly ordering that the security forces undertake a maximum effort to prevent and punish election-related violence, particularly violence targeting members of minority religious communities, whether during the election campaign, on election day, or in its aftermath; and
 - publicly condemning and swiftly responding to anti-minority violence in conjunction with the election and ensuring that all election-related violence will be thoroughly investigated and that those responsible will be brought to justice;
- and, in order to promote human rights, including freedom of religion or belief, in Bangladesh over the long-term,
- urge whatever government comes into office following the elections to:
 - investigate and prosecute to the fullest extent of the law perpetrators of violent acts, including future acts and those already documented, against members of minority religious communities, non-governmental organizations (NGOs) promoting women's human rights, and all those who oppose religious extremism;
 - rescind the January 2004 order banning publications by the Ahmadi religious community, continue to reject extremist demands to declare Ahmadis to be non-Muslims, protect the places of worship, persons, and property of members of this religious community,

and fully investigate and promptly bring to justice those responsible for violence against Ahmadis; and

- protect women from vigilante or anti-minority violence, combat claims of religious sanction or justification for violence against women, and vigorously investigate and prosecute the perpetrators of such violent incidents;
- make greater use of existing avenues of public diplomacy, including international exchange programs, to bolster the position of Bangladesh's voices of moderation and of those reformers who respect, and advocate respect for, internationally recognized human rights, including the human rights of women and of members of minority religious communities;
- assist Bangladeshi educational authorities in improving and expanding public education in order to enhance the availability and quality of education of all Bangladeshis, regardless of faith, gender, or ethnicity, and support non-governmental review of curricula and textbooks of public schools and madrassas in particular, as many madrassas receive foreign funding and are subject to little or no government oversight;
- support efforts to improve the human rights performance and professional competence of the security forces so that they can better protect all Bangladeshis from violence and intimidation by extremists;
- act to counter the extremist assault on Bangladesh's secular legal system, including by (1) strengthening U.S. assistance to promote the rule of law and to enhance access to the legal system by women and members of religious minorities, and (2) informing Bangladeshis, through educational and cultural exchanges, broadcast and print media, and other means of public diplomacy, on the universality of human rights and the compatibility of Islam and universal human rights, including freedom of religion or belief; and
- support, and provide technical assistance for, the Bangladesh's newly established National Human Rights Commission in Bangladesh so that it is able to investigate, publicize, and bring to the courts all categories of human rights abuses, including violence and discrimination against religious minorities, in accordance with international standards for such organizations, i.e., independence, adequate funding, a representative character, and a broad mandate that includes freedom of thought, conscience, and religion or belief.